

REMARKS

The Examiner has required restriction under 35 U.S.C. § 121 between two groups of claims. Group I includes claims 1-17, 19-34 and 49-51 and Group II includes claims 35-48. Applicants respectfully traverse the rejection, but elect Group I with traverse in order to comply with 37 CFR § 1.143.

It is Applicants' understanding that this election is being made to aid the Examiner in conducting a search and examination of the claimed subject matter, and is not to be construed as limiting the scope of Applicants' claims. It is also Applicants' understanding that if the elected subject matter is found to be allowable over the prior art, the search and examination will be expanded to cover other species, until it includes the full scope of the generic claims included in the elected group.

Entry of this response and reconsideration and allowance of the above-identified patent application are respectfully requested. Claims 1-17, 19-34 and 45-51 were rejected in the office action. Claims 35-48 were withdrawn from consideration. Claim 18 was canceled. No claims have been amended, canceled or added. Therefore, following entry of the present response, claims 1-17, 19-34 and 45-51 will remain pending in the present application.

This application claims priority under 35 U.S.C. § 119(e) from Provisional Application No. 60/433,305, filed December 13, 2002. The Examiner is respectfully requested to acknowledge priority under 35 U.S.C. § 119(e) in the next communication.

Claims 1-9, 11, 15, 19-34 and 49-51 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,888,671 to Joo *et al.* ("Joo") in view of U.S. Publication No. 2002/0141048 to Spock *et al.* ("Spock"). In particular, the office action suggests, *inter alia*, that Joo's "optical circulator 610" teaches the claimed optical coupler/decoupler. (*Office Action dated November 29, 2006* at p. 3). With all due respect to the contentions in the office action, applicants respectfully disagree because Joo's circulator is not the same as the claimed coupler/decoupler.

As recited in the claimed embodiments, a coupler/decoupler is used to separate a signal from a bidirectional signal. The coupler/decoupler also combines a signal into the bidirectional signal. In other words, the couplers are used "to separate, and recombine the optical signals between the fiber spans 101." (*Specification* – page 11, lines 6-8). As noted

throughout the present specification, this allows the couplers “to enable optical signals 110 and 111 to counter-propagate in fiber spans 101, and to co-propagate in the optical components comprising in-line amplifier stations 102.” (*Specification* – page 10, lines 15-17).

Joo’s circulator 610 operates entirely different from the coupler/decoupler recited in the claimed embodiments. In particular, Joo’s circulator 610 operates as do most circulators, as a “traffic cop” directing traffic in a circular fashion. Joo’s circulator 610 has 3 ports: 800, 515 and 715. When the circulator receives an optical signal via an optical fiber 800, the signal is passed onto port 515. And, when the circulator 610 receives a signal on port 715, the signal is passed onto port 800. (*Joo* – column 6, lines 57-64). In other words, when a signal arrives at the first port it is passed onto an adjacent port, in a clockwise direction. However, Joo’s circulator 610 does not separate or combine signals, as with the claimed coupler/decoupler.

The Examiner is respectfully requested to acknowledge the difference between a circulator that receives a signal on a port and passes it onto another port in a clockwise direction, and a coupler/decoupler that combines and separates signals. Joo’s circulator 610 does not combine and separate a signal. Instead, Joo’s circulator 610 simply takes a signal on one port and passes onto another adjacent port.

Accordingly, applicants respectfully request withdrawal of the rejection of claims 1-9, 11, 15, 19-34 and 49-51 under 35 U.S.C. 103(a) over Joo and Spock.

In addition, claims 10, 12-14 and 16-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Joo in view of Spock, and in further view of U.S. Patent No. 7,054,555 to Maeno (“Maeno”). For at least the same reasons as discussed above, applicants respectfully request withdrawal of the rejection of claims 10, 12-14 and 16-17 under 35 U.S.C. 103(a) over Joo in view of Spock, and in further view of Maeno.

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PATENT

CONCLUSION

In view of the foregoing, applicant respectfully submits that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Vincent J. Roccia at (215) 564-8946, to discuss resolution of any remaining issues.

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